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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,888	04/08/2004	Philip Shi-Lung Yu	YOR920040112US1	8874
55459	7590	10/06/2006	EXAMINER	
GEORGE A. WILLINGHAN, III AUGUST LAW GROUP, LLC P.O. BOX 19080 BALTIMORE, MD 21284-9080			BETIT, JACOB F	
			ART UNIT	PAPER NUMBER
			2164	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/820,888

Applicant(s)

YU, PHILIP SHI-LUNG

Examiner

Jacob F. Betit

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/8/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Barrett et al. (U.S. patent application publication No. 2003/0135490 A1).

As to claim 1, Barrett et al. teaches a method for searching data comprising:

generating a temporally ranked set of search results in response to a query (see abstract), the step of generating a temporally the temporally ranked set of search results comprising:

generating an initial set of search results (see paragraph 0010; and

ranking at least a portion of the initial set of search results based on temporal factors to generate the temporally ranked set of search results (see paragraph 0013).

As to claim 2, Barrett et al. teaches wherein the step of generating the initial set of search results comprises using reputation based factors or content based factors (see paragraph 0010).

Art Unit: 2164

As to claim 3, Barrett et al. teaches wherein the step of ranking the initial search results comprises assigning a present importance weight and a future importance weight to each result in the initial set of search results (see paragraph 0013).

As to claim 4, Barrett et al. teaches further comprising:

determining the present importance of each result using creation date, publication date, in-link dates, search frequency or combinations thereof (see paragraph 0013); and

determining the future importance using an aging factor based on the elapsed time from publication for each search result and a rate at which each search result decreases in importance (see paragraphs 0035-0038).

As to claim 5, Barrett et al. teaches wherein the data being searched comprises web-based data and the method further comprises obtaining time and date information about each search result from meta content associated with the search result (see paragraphs 0013 and 0015).

As to claim 6, Barrett et al. teaches further comprising: identifying a first portion of the initial search results having creation dates after a pre-determined threshold date; and identifying a second portion of the initial search results having creation dates before the pre-determined threshold date; wherein the step of ranking at least a portion of the search results comprises ranking the second portion (see paragraph 0049).

Art Unit: 2164

As to claim 7, Barrett et al. teaches further comprising ranking the first portion of the initial search results based on a reputation associated with authors of each result, a reputation associated with a repository where each result is located or a combination of author and repository reputation (see paragraphs 0036-0037).

As to claim 8, Barrett et al. teaches further comprising ranking the initial set of search results based upon the reputation or content of each result (see paragraphs 0036-0037).

As to claim 9, Barrett et al. teaches a computer readable medium containing a computer executable code that when read by a computer causes the computer to perform a method for searching data comprising generating a temporally ranked set of search results in response to a query (see paragraph 0001), said step of generating a temporally ranked set of search results comprising:

generating an initial set of search results (see paragraph 0010); and

ranking at least a portion of the initial set of search results based on temporal factors to generate the temporally ranked set of search results (see paragraph 0013).

As to claim 10, see the rejection of claim 3 above.

As to claim 11, see the rejection of claim 4 above.

As to claim 12, see the rejection of claim 5 above.

As to claim 13, see the rejection of claim 6 above.

As to claim 14, see the rejection of claim 7 above.

As to claim 15, Barrett et al. teaches 15. a method comprising:
offering a service to customers that generates a temporally ranked set of search results in response to a query (see paragraph 0013); and
modifying one or more parameters of the service in response to customer input (see paragraph 0012).

As to claim 16, Barrett et al. teaches wherein the parameters comprise rate of phase-out of old data, decay rate, temporal criteria, reputation ranking techniques or combinations thereof (see paragraph 0013).

As to claim 17, Barrett et al. teaches wherein further comprising modifying the parameters based upon the topic or repository being searched (see paragraph 0013, "As a matter of granularity, the particular decay rate and structure may be defined by the designer based on query type or other personalized factors... if a query relates to history, one may not wish to ever ignore a use").

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. patent application publication No. 2005/0027670 A1 to Petropoulos for teaching ranking of search results using conversion data.

Art Unit: 2164

U.S. patent No. 6,546,388 B1 to Edlund et al. for teaching metadata search results ranking system.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. Betit whose telephone number is (571) 272-4075. The examiner can normally be reached on Monday through Friday 9:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

jfb
1 Oct 2006


SAM RIMELL
PRIMARY EXAMINER